

REMARKS

In response to the Office Action dated June 15, 2007, please consider the following:

New Claim 26 defines a method of measuring the concentration level of a preselected gas in an environment including steps 1 through 7 as enumerated. These steps include creating a light beam, splitting the light beam into three components, one component being used to measure the intensity of the light beam, the second component being passed multiple times through a confined testing area within a detecting instrument and thence to a second photo detector for providing a second electrical signal indicative of a concentration measurement corresponding to a lower concentration level, and the third component passing through a reduced length path through the confined testing area and then to a third photo detector for providing a third electrical signal indicative of a concentration measurement corresponding to a higher concentration level. The final step in the method of Claim 26 is employing the first, second and third electrical signals for determining the concentration level of the preselected gas in the stream of sample gas.

Claim 9 has been amended to include the essence of Claim 11 which Examiner Merlino has indicated to be patentable. Therefore, it is deemed that Claim 9 has been determined to be allowable, and therefore, Claims 8-10 and 12-25 that depend from Claim 9 are deemed to have been determined to be allowable. The method claim has been rewritten. That is, a new Claim 26 is substituted for former Claim 1. Method Claim 26 includes the unique aspect of the present invention as Examiner Merlino has indicated constitutes patentable subject matter in that Claim 9 provides a method that employs splitting a light beam into three components, converting each component into an electrical signal wherein the third component includes passing the light beam over a reduced length path in the confined testing area and thence to a third photo detector and then providing a third electrical signal indicative of a concentration measurement corresponding

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to a higher concentration level. Thus, in view of the allowability of apparatus Claim 11, new method Claim 26 should be allowable and correspondingly, Claims 2-6 which depend from it should also be allowable.

Therefore, it is believed that the application should be in condition for a Notice of Allowance.

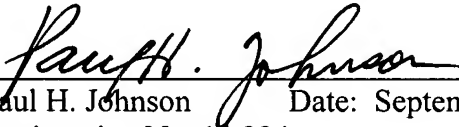
If Examiner Merlino finds problems with any of the claims that need to be corrected before the case is in condition for allowance, the Examiner is respectfully invited to contact the undersigned at (918) 595-4963 so that hopefully any remaining issues can be resolved in a telephone interview to thereby expedite grant of the patent.

The thorough examination given the application by Examiner Merlino is acknowledged with grateful appreciation.

Applicant authorizes the Patent Office to charge the additional claim in excess of twenty under 37 CFR 1.16(i) in the amount of \$50.00 to Deposit Account No. 50-1971. In addition, please charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-1971.

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Respectfully submitted,


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